

In the Matter of:

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THE NEW YORK CITY DISTRICT COUNCIL OF
CARPENTERS PENSION FUND, NEW YORK CITY
DISTRICT COUNCIL OF CARPENTERS WELFARE
FUND, NEW YORK CITY DISTRICT COUNCIL OF
CARPENTERS VACATION FUND, NEW YORK CITY
DISTRICT COUNCIL OF CARPENTERS ANNUITY
FUND, NEW YORK CITY DISTRICT COUNCIL OF
CARPENTERS APPRENTICESHIP, JOURNEYMAN
RETRAINING, EDUCATIONAL AND INDUSTRY
FUND, NEW YORK CITY DISTRICT COUNCIL OF
CARPENTERS CHARITY FUND, and THE NEW
YORK CITY AND VICINITY CARPENTERS LABOR-
MANAGEMENT CORPORATION, By MICHAEL
J. FORDE and PAUL O'BRIEN, as TRUSTEES,

NOTICE OF
INTENTION TO
ARBITRATE

Petitioners,

-against-

A-Plus Flooring

Respondent.

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PLEASE TAKE NOTICE, that the NEW YORK CITY
DISTRICT COUNCIL OF CARPENTERS PENSION FUND, NEW YORK
CITY DISTRICT COUNCIL OF CARPENTERS WELFARE FUND, NEW YORK
CITY DISTRICT COUNCIL OF CARPENTERS VACATION FUND, NEW YORK
CITY DISTRICT COUNCIL OF CARPENTERS ANNUITY FUND, NEW YORK
CITY DISTRICT COUNCIL OF CARPENTERS APPRENTICESHIP,
JOURNEYMAN RETRAINING, EDUCATION AND INDUSTRY FUND, NEW
YORK CITY DISTRICT COUNCIL OF CARPENTERS CHARITY FUND, and
THE NEW YORK CITY AND VICINITY CARPENTERS LABOR-
MANAGEMENT CORPORATION, by MICHAEL J. FORDE, and PAUL
O'BRIEN as TRUSTEES, (the "Funds") hereby demand and intend, pursuant to the
provisions of the collective bargaining agreement between A-Plus Flooring

and the District Council of New York City and Vicinity of the United Brotherhood of Carpenters and Joiners of America, to conduct an arbitration before Arbitrator Robert Herzog, Esq. against A-Plus Flooring with the respect to the following controversy:

To compel to permit the Funds to conduct an audit of its books and records for the period 8/8/2003 through date to determine whether is in compliance with its obligation to contribute to the Funds.

Pursuant to CPLR 7503 (c), unless you apply within twenty (20) days after the service of this notice for a stay of the arbitration, you will thereafter be precluded from objecting that a valid agreement was not made or has not been complied with and from asserting in court the bar of limitations of time.

Dated: January 17, 2007

By: 

Steven C. Kasarda, Esq.
Counsel for Delinquencies & Collections

To: Robert Herzog, Esq.
36 Springhouse Road
Woodcliff Lake, New Jersey 07677

and

A-Plus Flooring
18 Keith Lane
Walden, NY 12586
Attn: Mr. Dennis Zingarelli, President

VIA CERTIFIED MAIL
RETURN RECEIPT REQUEST (To Employer)